

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
OFFICE OF THE CLERK**

Howard H. Baker Jr. United States Courthouse  
800 Market Street, Suite 130  
Knoxville, Tennessee 37902  
(865) 545-4228

**PATRICIA L. McNUTT**  
Clerk of the Court

**JOHN L. MEDEARIS**  
Chief Deputy Clerk

June 16, 2006

**NOTICE**

Pursuant to 28 U.S.C. § 2071(b), the Clerk of the Court hereby gives notice of and an opportunity for comment regarding the Court's amendment to Eastern District of Tennessee Local Rule 83.1. The amendment repeals the current rule and enacts the following rule in its place:

**(a) General Prohibition.** Persons not employed by the United States Courts are prohibited from possessing any electronic devices, including cell phones, pagers, cameras, broadcasting and recording devices, in courthouses beyond the security checkpoints except as allowed by this rule. Court Security Officers shall collect and retain all such electronic devices other than those permitted by this rule from all persons not employed by the court. Cell phones may be used by their owners in the immediate area of the security check points.

**(b) Personal Digital Assistants.** Attorneys using a personal digital assistant or "combination device" which combines calendaring with a cell phone, wireless Internet capability or camera, may bring such a combination device into a courthouse provided the attorney enters into an agreement regarding the use of the device and obtains the permission of a United States District or Magistrate Judge. The form for the agreement is set forth at the conclusion of this rule.

**(c) Laptop Computers.** Attorneys may bring laptop computers into a courthouse provided the attorney enters into an agreement regarding the use of the laptop computer and obtains the permission of a United States District or Magistrate Judge. The form for the agreement is set forth at the conclusion of this rule.

**(d) Electronic Devices in Courtrooms.** Notwithstanding any provision of this rule, any District or Magistrate Judge retains the discretion to revoke for any reason an attorney's privilege to possess an electronic device in a courtroom.

**(e) Greeneville Courthouse.** At the James H. Quillen United States Courthouse in Greeneville only, agents employed by federal law enforcement agencies or officers assigned to or investigating federal criminal offenses as designated in writing by the United States Attorney's Office to the Office of the United States Marshal in Greeneville, Tennessee shall be permitted to bring cell phones, pagers or laptop computers into the courthouse but not into any courtroom in the building.

**(f) Photographing; Video and Audio Recording; and Video and Audio Broadcasting.** No photographing, video or audio recording or video or audio

broadcasting other than by court personnel will be permitted on the floors of the courthouse occupied by the court, except as otherwise permitted by order of a United States District or Magistrate Judge.

AGREEMENT

Attorney Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Type of Device, *e.g.*, PDA, Laptop: \_\_\_\_\_

Make / Manufacture: \_\_\_\_\_

Model No.: \_\_\_\_\_

I agree that if permission is granted to me to use the above described device in the \_\_\_\_ [name of city] \_\_\_\_ courthouse, I will, upon entry into the courthouse deactivate (turn off) any cell phone, camera, or wireless Internet components or devices attached to the device and will not use, or allow the use of such cell phone, camera, or wireless Internet components while in the courthouse. I further agree not to allow anyone else to use or attempt to use the device. I understand that any violation of this agreement, whether intentional or innocent, may result in the loss of my privileges to bring the device into the courthouse and may result in the denial of any future permission to do so. I acknowledge that I have read and understand E.D. TN. LR 83.1 regarding the use of electronic devices.

I understand and agree that United States Deputy Marshals and Court Security Officers may enforce this Agreement, E.D. TN. LR 83.1 and any other applicable rules and orders of the Court governing use of the device and may confiscate the device if they believe there has been a violation of this Agreement, any rules and orders of the Court or breach of or threat to security.

I will provide the United States Marshal's Office and Court Security Officers with a copy of this executed agreement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney Signature

Permission to use the specific combination device is limited to the specific attorney listed above subject to E.D. TN. LR 83.1

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
United States District or Magistrate Judge

*Comments: The rule has been revised to remove laptops from the provision governing cell phones, pagers and cameras and to include a separate provision for laptop computers to treat them in a similar manner to “combination devices.” Since possession of cameras, recording and broadcasting devices is provided for elsewhere in the rule, the provision governing photographing, video or audio recording and broadcasting was revised to prohibit those activities, rather than possession of the devices. The Agreement was revised to clarify that it is the attorney’s obligation to provide the USMS and the CSO’s copies of the executed agreement. A number of changes were made to make the language in the rule internally consistent and to clarify certain provisions.*

The foregoing amendment took affect on June 9, 2006. Comments should be directed, in writing, to Patricia L. McNutt, Clerk of Court, at the above address.